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Via ECF

The Honorable Kimba M. Wood
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Joseph Meli, S1 17 Cr. 127 (KMW)*
Motion for Release Pursuant to 18 U.S.C. § 3582(c)(1)(A)

Dear Judge Wood,

We respectfully submit this letter and the attached exhibit as a supplement to Mr. Meli's motion for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A). In its opposition to Mr. Meli's motion, the government concedes that Mr. Meli suffers from conditions that render him at high-risk of death or serious complications were he to contract COVID-19, but it argues that Mr. Meli's risk of contracting COVID-19 is adequately mitigated by the "significant efforts" the BOP has made to respond to the threat posed by COVID-19. *See* Gov't Opp. at 17-20. This is simply false.

The BOP has failed to adhere to both basic infection control and CDC guidelines, which "serve[s] to work against any measures taken by the MDC to mitigate the spread of COVID-19." *See* Affidavit of Homer Venters, dated April 30, 2020, Annexed Hereto at "Exhibit A" at ¶ 46; *see also id.* at ¶ 41 ("The CDC has identified basic guidelines for infection control and overall COVID-19 response in detention settings, many of which the MDC appears to have ignored.").

Furthermore, based on his "physical inspection of the MDC, it is [Dr. Venters's] assessment that current practices in MDC do not adequately identify and protect detainees who are particularly vulnerable to the effects of COVID-19 due to their high-risk underlying medical conditions. This is despite the fact that the facility is aware that many such high-risk detainees exist." *Id.* at ¶ 51.

Every day that Mr. Meli, an individual with high-risk underlying medical conditions, is incarcerated at MDC poses a threat to his life and health. This Court should grant Mr. Meli's motion in order to alleviate these threats.

Respectfully submitted,



César de Castro
Valerie A. Gotlib

cc: Elisha J. Kobre
Assistant United States Attorney (*via* ECF)